REMARKS

Claims 1-27 are currently pending in the subject application and are presently under consideration. Favorable consideration of the subject patent application is respectfully requested in view of the comments herein.

I. Rejection of Claims 1-27 Under 35 U.S.C. §102(e)

Claims 1-27 stand rejected under 35 U.S.C. §102(e) as being anticipated by Cohen *et al.* (US 6,324,543). This rejection should be withdrawn for at least the following reasons. Cohen *et al.* does not teach or suggest each and every limitation set forth in the subject claims.

> A single prior art reference anticipates a patent claim only if it ***expressly or inherently describes each and every limitation set forth in the patent claim.*** *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California,* 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The ***identical invention must be shown in as complete detail as is contained in the ... claim.*** *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

i. Claims 1, 14, 15, 23 and 27

Independent claims 1, 14, 15, 23 and 27 relate to a system and method for interacting with an object. The subject independent claims recite similar limitations, namely: a method call interceptor operable to intercept a method call to an object and to route the method call to a proxy, the method call interceptor accessible to application code; and an application code generic proxy operable to receive an intercepted method call, the application code generic proxy further operable to invoke a method on the object, to receive results from the object and to pass results to the entity that generated the intercepted method call. It is apparent that the invention as claimed utilizes a method call interceptor accessible to application code to intercept a method call to an object. Upon receipt of the method call by the method call interceptor, the method call interceptor routes the received method call to an application code generic proxy. The application code generic proxy upon receiving the intercepted method call is capable of

invoking a method on the object, receiving the results of the invocation of the method on the object, and returning the results received from the object to the entity that generated the intercepted method call. Cohen *et al.* fails to teach or suggest these novel aspects of the claimed invention.

Cohen *et al.* discloses a method and system that allows a program to become dynamically reconfigurable without programmer intervention, i.e. the programs can be dynamically distributed among multiple computers within a computer network without modification to the source code of the programs running on the system. (*See*, Abstract). The Final Office Action (dated August 26, 2004) and the Advisory Action (dated November 15, 2004) suggest that Cohen *et al.* discloses ***a method call interceptor operable to intercept a method call to an object and to route the method call to a proxy***, at col. 2, lines 1-5; and col. 3, lines 57-63, proxy B'. The noted passages however, disclose the generation of local and remote proxies by a Dynamic Object Distribution (DOD) system, wherein proxies intercept method calls to and from an object. It is apparent therefore that Cohen *et al.* discloses a proxy for intercepting and routing method calls to and from an object, rather than a ***method call interceptor*** for intercepting method calls and routing the intercepted method call to a proxy, whereupon the proxy directs the intercepted method call to the object. Further, it is apparent from Cohen *et al.* that it is the *proxy* that always intercepts method calls between the entity that generated the method call and the object that received the method call; similarly, it is the *proxy* that intermediates between the object that received the method call and the entity that generated the method call. Applicants' invention on the other hand, utilizes the method call interceptor only to intercept the method call from the entity that generated the method call; it is the application code generic proxy that passes the results generated by the object back to the entity that generated the method call. Thus, it is submitted, Cohen *et al.* fails to disclose or suggest the method call interceptor as claimed, and as a consequence applicants' invention is clearly distinguishable on this ground alone.

Further in the Final Office Action (dated August 26, 2004), it was asserted that Cohen *et al.* provided ***a method call interceptor accessible to application code***, at col. 2, lines 1-10. In response, applicants' representative had contended that since Cohen *et al.* failed to provide a method call interceptor, it was inconceivable as to how the cited

document could possibly teach a method call interceptor accessible to application code. Nevertheless, despite Cohen *et al.*'s deficiency in this respect, it was posited that the cited passage merely provided a bytecode modification tool that modified bytecode files prior to the generation of proxies by the DOD system, i.e., the proxies once generated were not accessible to the bytecode modification tool, let alone application code. Thus, it was submitted that applicants' claimed invention was distinguishable from Cohen *et al.* in this regard, as the invention as claimed provided a method call interceptor accessible to application code. The instant Advisory Action fails however to address, let alone meet the full force of, applicants' representative's assertion with respect to this particular shortcoming in Cohen *et al.*

In addition, the Examiner is reminded that the standard by which anticipation is to be measured is ***strict identity*** between the cited document and the invention as claimed, not mere equivalence or similarity. *See, Richardson* at 9 USPQ2d 1913, 1920. This means that in order to establish anticipation under 35 U.S.C. §102, the single document cited must not only expressly or inherently describe each and every limitation set forth in the patent claim, but also the identical invention must be shown in as complete detail as is contained in the claim. The fact that Cohen *et al.* fails to provide a method call interceptor, but rather a proxy that intercepts method calls, and further in view of the fact that the proxies that are generated by Cohen *et al.* are not accessible to application code, leads one to believe that the cited document in the final analysis, does not provide an invention identical to that recited in the subject claims.

In view of at least the foregoing it is submitted that Cohen *et al.* fails to disclose all the limitations set forth in independent claims 1, 14, 15, 23 and 27, and associated dependent claims, and that this rejection should be withdrawn.

ii. ***Claim 24***

Independent claim 24 recites a data packet adapted to be transmitted between two or more computer processes, wherein the data packet comprises: one or more identifier/value pairs, the identifier identifying the value associated with the identifier/value pair, and the value providing information associated with an intercepted method call on an object. In applicants' Reply to Final Office Action (dated August 26,

2004), it was argued in response to the Examiner's assertion that Cohen *et al.* inherently disclosed data packets comprising one or more identifier/value pairs providing information associated with an intercepted method call; that Cohen *et al.* was silent with regard to the utilization of identifier/value pairs, and that the supposed inherency upon which the Final Office Action sought to rely was manifestly absent. Further, applicants' representative contended, and reiterates herein, that all that is apparent from Cohen *et al.*'s disclosure is the provision of a method that allows programs to become dynamically reconfigurable without programmer intervention, such that programmers can specify the conditions under which reconfiguration of programs can occur. The instant Advisory Action once again fails to address, let alone meet the full force of, applicants' representative's contentions with respect to these particular shortcomings in Cohen *et al.*

Moreover, as stated *supra*, the Examiner is once again reminded that the standard by which anticipation is to be measured is ***strict identity*** between the cited document and the invention as claimed, not mere equivalence or similarity. This implies that in order to establish anticipation under 35 U.S.C. §102, the single document cited must not only expressly or inherently describe each and every limitation set forth in the patent claim, but also the identical invention must be shown in as complete detail as is contained in the claim. The fact that Cohen *et al.* is silent regarding the disclosure, let alone the utilization, of identifier/value pairs, is substantiation enough to deduce that Cohen *et al.* neither describes all the limitations set forth in the subject claim, nor provides an invention identical to that contained in the claim at issue. Accordingly, it is submitted that the Examiner has failed to meet the sufficiency of his burden under 35 U.S.C. §102, and that the rejection with respect to independent claim 24, and its associated dependent claims, should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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